

RE: Evidence and Site Control Agreement

Monday, March 18, 2019 10:06 AM

Subject	RE: Evidence and Site Control Agreement
From	Joe M. Teig
To	Kearns, David G. - OSHA
Cc	matthew.kiddy@usecology.com; Ball, Stephen; Martinson, Andrew - OSHA
Sent	Wednesday, November 21, 2018 10:39 AM

David: I have a Site Control and Preservation Agreement I did with the Solicitor's Office (Jennifer Casey in Denver) on a rig accident case we worked on in North Dakota a couple years ago. I can get my hands on that, but it sounded like you were going to take a first stab at a draft. If you can get that to me, we can turn it around pretty quickly.

I plan on being back at the site Monday morning, as is Matt. I understand you have folks from Salt Lake City that may be coming back out, and I will plan to meet up with them and make sure they get the support they need. I have worked with the SLC technical teams in the past, but it would be helpful if you let me know who is coming, and to make sure they all have my contact information, along with Matt's, so we can make sure they can get oriented to the site, have their PPE, etc.

Matt and I will continue to work on the document production. I have some of the plant drawings gathered, and will get them bates stamped for production. I will probably start making batch productions, since I understand how important it is to get the documents as soon as possible. If you would rather we gather all of the documents and produce them at once, let me know, but otherwise we will try to get you what we have when we are ready to produce it.

I should be available all weekend.

From: Kearns, David G. - OSHA <Kearns.David@dol.gov>

Sent: Tuesday, November 20, 2018 3:38 PM

To: Joe M. Teig <JTeig@hollandhart.com>

Cc: matthew.kiddy@usecology.com; ball.stephen@epa.gov; Martinson, Andrew - OSHA <Martinson.Andrew@DOL.GOV>

Subject: RE: Evidence and Site Control Agreement

Thank you. That sounds appropriate to contain and prevent other issues. We appreciate your care and documenting your efforts.

From: Joe M. Teig [<mailto:JTeig@hollandhart.com>]

Sent: Tuesday, November 20, 2018 3:15 PM

To: Kearns, David G. - OSHA

Cc: matthew.kiddy@usecology.com; ball.stephen@epa.gov; Martinson, Andrew - OSHA

Subject: Re: Evidence and Site Control Agreement

David: we do not have an agreement in place. I will share this e-mail internally and get back to you. Our internal investigation is underway, but we are not doing anything that will alter the incident site beyond the perimeter that has been established, except with respect to the efforts to contain the waste stream containers that were identified by EPA to be moved and secured. We may need to take steps to protect the site from the elements, as wet weather is likely moving in tomorrow night. We will be sure to document any such efforts.

I am still at the site, but leaving today. Matt is also traveling today. Given the holiday, not much is likely to happen until next week.

Joe

Sent from my iPhone

On Nov 20, 2018, at 2:43 PM, Kearns, David G. - OSHA <Kearns.David@dol.gov> wrote:

Mr. Teig, Mr. Kiddy, and Mr. Ball,

Due to the circumstances involved with the November 17 incident at US Ecology in Grandview, we need an evidence and site control agreement to be shared among parties involved in the investigation and clean up. If you already have one in place, please let me know. OSHA would like to be added as a signatory.

Otherwise, for my drafting of the agreement, I will list OSHA, US Ecology Idaho, Inc., and US Environmental Protection Agency. Please let me know what names and job titles should be used. Also, please let me know if you think there are other investigating parties who should be included, such as DEQ. NOTE: I spoke with the Chemical Safety Board yesterday. They do not plan to send an investigator.

Please note that representatives from our Health Response Team out of Salt Lake City will be here next Monday and Tuesday to visit the site and assist with evidence collection.

I will be away from the office tomorrow, returning Friday. But I plan to check emails periodically through Wednesday and Thursday. I can also be reached by me personal cell phone if urgent at

(b) (6)

Regards,

David Kearns, MPA, CIH

Area Director

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